

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

**PEER COMMUNICATIONS
CORPORATION,**

Plaintiff,

V.

SKYPE TECHNOLOGIES SA, SKYPE,
INC. and EBAY, INC.,

Defendants.

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CIVIL ACTION NO. 6:06cv370

JURY TRIAL DEMANDED

PLAINTIFF'S NOTICE OF APPEAL

Notice is hereby given that PEER COMMUNICATIONS CORPORATION appeals to the United States Court of Appeals for the Federal Circuit from the following:

1. *Final Judgment*, entered in this action on October 7, 2008;
 2. *Memorandum Opinion* regarding claim construction, entered in this action on May 29, 2008; and
 3. *Memorandum Opinion & Order* denying the parties' Motions for Reconsideration and Objections to Magistrate Judge Love's Claim Construction Order, entered in this action on August 7, 2008.

Dated: November 5, 2008

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of November, 2008, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/Michael T. Cooke